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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,410	01/09/2002	Yung-Hsin Chen	CHEN3324/EM	2295
23364	7590	04/12/2005	EXAMINER	
BACON & THOMAS, PLLC 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314			ARTHUR JEANGLAUDE, GERTRUDE	
			ART UNIT	PAPER NUMBER
			2144	

DATE MAILED: 04/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/040,410	<b>Applicant(s)</b> CHEN, YUNG-HSIN	
	<b>Examiner</b> Gertrude Arthur-Jeanglaude	<b>Art Unit</b> 2144	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 January 2002.
- 2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Lo et al. (U.S. Pub 20040123302).

As to claim 1, Lo et al. disclose a method for effecting a Web-based network manager using a Web configuration, the method comprising: establishing a domain consisting of a workstation (computer) and at least one network device (server); communicating between the workstation and a Web agent on each network device through a HTTP (Hypertext Transfer Protocol; (See paragraph 0058-0059, 0066) enabling a manager database module and a manager process module of the workstation to communicate with each network device using a Web browser; (See paragraph 0079) and displaying status information of all of the network devices in the domain on the workstation for facilitating a management by a Web manager (See paragraph 0005; the display can be used for status information).

As to claim 2, Lo et al. disclose the workstation is served as the Web manager, and the manager database module acts to store status changes of the network devices

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in the domain and relevant query result and establish a domain structure diagram and a status diagram using information contained in the manager database module.(See paragraph 0079).

As to claim 3, Lo et al. disclose the manager process module acts to provide a management procedure required by nodes in each network device so as to obtain node data about each network device (See paragraph 0066-0074).

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As to claim 4, Lo et al. disclose a HTTP process module being operative to connect to the nodes in each network device through the HTTP (See abstract).

As to claim 5, Lo et al. disclose the Web agent on each network device acts to process a Web server (see paragraph 0078).

As to claim 6, Lo et al. disclose the workstation acts to issue request and polling message to each network device having the Web agent in the domain so as to obtain information about each node on each network device (See paragraph 0074-0079).

As to claim 7, Lo et al. disclose every predetermined period of time the HTTP process module acts to request each network device to read data about the Web agent thereof by polling and send back a required packet by the Web agent (See paragraph 0067-0074).

As to claim 8, Lo et al. disclose after the manager process module has received the sent back packet, an analysis is performed on the packet for obtaining correct information about IPs of the nodes, status, throughput, and distribution of each network device in the domain: thereby updating the manager

database module in the workstation (See paragraph 0078-0090).

As to claim 9, Lo et al. disclose the manager process module acts to read a HTML file from a specific directory in the manager database module and display the same on the workstation, whereby the Web manager is capable of using a Hyperlink of a Hypertext contained in a Web page to connect to a Web page associated with the network device for management (See paragraph 0005).

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As to claim 10, Lo et al. disclose the sent back packet comprises:  
a basic information for containing data about the packets of the Web agent consisting of type, version, location, power on time, and device name;  
an interface for containing data about the packets regarding the number of communication interfaces of the Web agent having a data structure of an array;  
and a traffic for containing data about the packets regarding throughput: type, and count of the traffic of the Web agent having a data structure containing throughput and status of each communication interface on the Web agent (See paragraph 0070-0078).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lo et al. (U.S. Patent No. 6,854,120) disclose accessing a ERP application over the internet using strongly typed declarative language files.

Kraenzel et al. (U.S. Patent No. 6,854,016) disclose a system and method for a web based trust model governing delivery of services and programs.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gertrude Arthur-Jeanglaude whose telephone number is (571) 272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (571) 272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GAJ

*GAJ*

April 9, 2005

*Gertrude A. Jeanglaude*  
GERTRUDE A. JEANGLAUE  
PRIMARY EXAMINER